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6 Attorney for Orlando Retes-Lopez

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9
10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 ORLANDO RETES-LOPEZ,
14 Defendant.

Case No. 2:15-cr-287-HDM-VCF
ORDER GRANTING
**STIPULATION TO CONTINUE
SENTENCING HEARING**
(First Request)

15
16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,
17 United States Attorney, and Robert Bork, Assistant United States Attorney, counsel for the
18 United Stated of America, and Rene L. Valladares, Federal Public Defender, and Monique
19 Kirtley, Assistant Federal Public Defender, counsel for Orlando Retes-Lopez, that the
20 sentencing hearing currently scheduled for January 28, 2016, at the hour of 8:15 a.m., be
21 vacated and continued to a date and time convenient to the Court, but no earlier than thirty (30)
22 days.

23 This Stipulation is entered into for the following reasons:

24 1. Additional time is needed to allow defense counsel time to complete and file a
25 sentencing memorandum. Defense counsel needs additional time to gather mitigation

1 information from the client's family, which will be pertinent to the defendant's sentencing
2 memorandum.

3 2. The defendant is incarcerated and does not object to the continuance.

4 3. The parties agree to the continuance.

5 4. The additional time requested herein is not sought for purposes of delay, but
6 merely to allow counsel for defendant sufficient time within which to adequately prepare for
7 the sentencing hearing.

8 5. Additionally, denial of this request for continuance could result in a miscarriage
9 of justice.

10 This is the first request to continue the sentencing hearing filed herein.

11 DATED this 21st day of January, 2016

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13 RENE L. VALLADARES
Federal Public Defender

14
15 DANIEL G. BOGDEN
United States Attorney

16 By 
17 MONIQUE KIRTLEY
Assistant Federal Public Defender

18 By */s/ Robert Bork*
19 ROBERT BORK
Assistant United States Attorney

20 By 
ORLANDO RETES-LOPEZ
Defendant

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

ORLANDO RETES-LOPEZ,

Defendant.

Case No. 2:15-cr-287-HDM-VCF

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Additional time is needed to allow defense counsel time to complete and file a sentencing memorandum. Defense counsel needs additional time to gather mitigation information from the client's family, which will be pertinent to the defendant's sentencing memorandum.

2. The defendant is incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to adequately prepare for the sentencing hearing.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

ORDER

IT IS THEREFOR ORDERED that the sentencing hearing currently scheduled for January 28, 2016, at 8:15 a.m., be vacated and continued to 3/22/16 at the hour of 9 : 45 a.m.; in LV Courtroom (tbd) before Judge Howard D. McKibben.

DATED this 26th day of January, 2016 IT IS SO ORDERED.

Howard D McElhaney

UNITED STATES DISTRICT JUDGE